

03630.000178.1



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
	:	Examiner: Vu B. Hang
TIMOTHY L. KOHLER, et al.)	
	:	Group Art Unit: 2625
Application No.: 10/763,214)	
	:	
Filed: January 26, 2004)	
	:	
For: CAPABILITY)	
NEGOTIATION BETWEEN	:	
PRINTER AND TARGET)	
DEVICE	:	February 13, 2008

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

Sir:

In response to the December 31, 2007 Election Requirement, the period for response to which having been extended to February 29, 2008 by the accompanying Petition For Extension of Time, Applicants hereby provisionally elect to prosecute species I. Claims 1 to 7, 13 to 17, 19 to 26, 29, 32 to 35, 38 to 45, 48, 51 to 55, 57 to 64, 67 and 70 to 74 read on the elected species.

Although the Examiner has indicated that no claims are generic, Applicants respectfully submit that at least Claim 1 is generic to Species I and II, inasmuch as it includes both the concept of the "color measuring device" of the first embodiment, and the "target device" of the second embodiment. If the Examiner agrees, and if Claim 1 is found allowable, then the Examiner is respectfully requested to re-join Species I and II, and also

to issue an action on the merits of claims drawn to Species II. These claims are Claims 18, 37 and 56.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael K. O'Neill", is written over a horizontal line.

Attorney for Applicants
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